

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,)
)
 Petitioner,)
)
 v.)
)
 BARRY S. FORD,)
)
 Respondent.)

Civil No.: 1:06-mc-3297-MHT

DECLARATION

Brenda K. Cauley declares:

1. I am a duly commissioned Revenue Officer employed in Small Business/Self-Employed Compliance Area 1, Internal Revenue Service.
2. In my capacity as a Revenue Officer, I am conducting an investigation into the tax liability of Barry S. Ford for the following years: 1997, 1998, 1999, 2000 and 2001.
3. This declaration is being provided in support of the Internal Revenue Service's previously made request for service by publication which was granted by the Court in an Order dated June 9, 2006.
4. During the course of my investigation I have come to believe that Barry S. Ford resides at 1704 Trawick Road, Dothan, Alabama.

DEFENDANT'S EXHIBIT
CASE NO. <u>1:06-mc-3297-MHT</u>
EXHIBIT NO. <u>/</u>

5. As part of my official duties I mailed a letter to "Barry S. Ford, 1704 Trawick Rd, Dothan, AL 36305-7136," on January 3, 2005.¹ Particularly this letter advised Mr. Ford that his summons appearance date had been changed to January 18, 2005. Mr. Ford appeared as requested in the body of my January 3, 2005 letter.

6. Later in my investigation I received a letter from Mr. Ford dated May 11, 2005, bearing a return address of "1704 Trawick Rd., Dothan, AL 36305."² This letter from Mr. Ford requested that his summons appearance date be changed from May 17, 2005, to either June 6, 2005, or June 20, 2005. I granted Mr. Ford's request and notified him of the change via letter dated May 16, 2005 and mailed it to, "Barry S. Ford, 1704 Trawick Rd., Dothan, AL 36305-7136."³

7. On June 3, 2005, I received a telephone voice message from Mr. Ford advising me that he could not be at the appearance scheduled for June 6, 2005. I thereafter drafted him a letter acknowledging receipt of his message and further notifying him that the summons appearance was rescheduled for June 20, 2005. This letter, dated June 6, 2005, was mailed to, "Barry S. Ford, 1704 Trawick Rd., Dothan, AL 36305-7136."⁴ Mr. Ford appeared for the proceedings on June 20, 2005, but did not bring any of the documents or things requested in the summons.

¹ See Exhibit 1 attached hereto.

² See Exhibit 2 attached hereto.

³ See Exhibit 3 attached hereto.

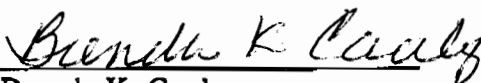
⁴ See Exhibit 4 attached hereto.

8. A search of the records of the Judge of Probate, Houston County, Alabama revealed that a Certificate of Marriage was issued to Barry Stephen Ford and Priscilla Andrews and recorded on December 2, 1999 in Marriage Book 98, page 169.⁵ The corresponding Marriage License Application recorded in Marriage Book 98, page 170, revealed that at the time of the application, Priscilla Andrews represented her place of residence to be 1704 Trawick Road, Dothan, Alabama 36305.⁶

9. Finally, on Tuesday, June 27, 2006, I observed at the residence located at 1704 Trawick Road, Dothan, Alabama, a Cadillac brand automobile bearing Alabama license plate number 38D122P and a Jeep brand automobile bearing Alabama license plate number 38F740N. A check of the State of Alabama Vehicle Information System revealed that the Cadillac brand automobile is registered to Barry S. Ford and that the Jeep brand vehicle is registered to Priscilla Andrews.

Pursuant to Title 28, United States Code, Section 1746(2) I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 7th day of ~~June~~^{July}, 2006.


Brenda K. Cauley
Revenue Officer

⁵ See Exhibit 5 attached hereto.

⁶ See Exhibit 6 attached hereto.

Department of the Treas:
Internal Revenue Service
202 W. Adams St., Ste. 2

Dothan, AL 36303

PAGE 2 OF 3
Exhibit #2

Date: January 03, 2005

Re: SUMMONS DATE

BARRY S FORD
1704 TRAWICK RD
DOTHAN, AL 36305-7138

Dear MR. FORD:

I responded on December 13, 2004 to the letter I received from you dated December 8, 2004 advising me of your request to change your summons appearance date originally scheduled for November 30, 2004. I mailed my response to you to the address which appeared on your letter as your return address, via certified mail, and you did not claim this piece of mail.

Attached is this piece of mail advising you of your new summons appearance date of January 18, 2005 at 10:00 A.M.

Telephone Number
334-793-2813, ext 28

Best Time to Call:
8:00 A.M. - 4:45 P.M.

Attachment (1)

Brenda K Cauley
Brenda K. Cauley
Revenue Officer
Employee Number: 72-19052

DEFENDANT'S EXHIBIT	
CASE NO. 1:06-MC-03297-MHT	
EXHIBIT NO. 1 to 1	

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Exhibit # 4

May 11, 2005

Barry Ford
1704 Trawick Rd.
Dothan, AL 36305

CERTIFIED MAIL Return Receipt # 7003 1680 0001 3907 2063


Ms. Brenda Cauley
Internal Revenue Service
202 W. Adams St., Ste. 2
Dothan, AL 36303

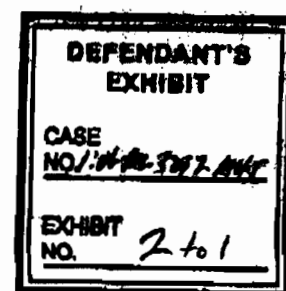
Dear Ms. Cauley

I am in receipt of a letter from Horace Crump in Birmingham which states that I need to be at your office on May 17, 2005 at 10:00 AM. I have a conflict with the time that was scheduled and need to re-schedule the meeting for either June 6, 2005 or June 20, 2005.

Please let me know if either of these dates is conducive to your schedule.

Sincerely,

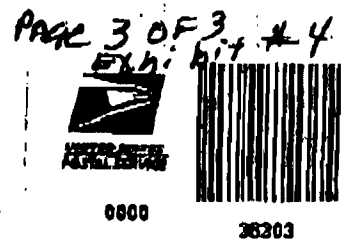

Barry Ford



704 Tranick Rd
Dothan, AL 36305



7003 1680 0001 3907 2063



RETURN RECEIPT
REQUESTED

Brenda Cauley
IRS
202 W. Adams St., Ste 200
Dothan, AL 36303

INTERNAL FILE
SERIAL COMPL
MAY 12 2006
AREA 6 TERRY, MONTGOMERY
DOOTHAN, AL 36303



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, DC 20548

COPY

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Exhibit 44

SMALL BUSINESS / SELF-EMPLOYED DIVISION

Date: May 16, 2005

Barry S Ford
1704 Trawick Rd
Dothan, AL 36305-7136

Dear Mr. Ford:

I am in receipt of your letter dated May 11, 2005 requesting a change in your appointment scheduled for May 17, 2005. Per your request, your appointment has been changed to June 6, 2005 at 10:00 A.M.

If you have any questions or need more information, please contact me at the address or the telephone number listed below:

Internal Revenue Service
202 W. Adams St., Ste. 2
Dothan, AL 36303
Phone#: 334-793-2813, ext 29
Fax#: 334-677-6293

Sincerely,

Brenda K Cauley

Brenda K. Cauley
Revenue Officer
Employee ID#: 72-19052

DEFENDANT'S EXHIBIT	
CASE NO.	<u>1:06-Mc-03297-MHT</u>
EXHIBIT NO.	<u>3 to 1</u>



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, DC 20224

COPY

SMALL BUSINESS / SELF-EMPLOYED DIVISION

Date: June 06, 2005

Barry S Ford
1704 Trawick Rd
Dothan, AL 36305-7136

Dear Mr. Ford:

I received your voice message advising me of the death in your family and requesting your appointment scheduled for today be changed to June 20, 2005. I have rescheduled your appointment to June 20, 2005 at 1:30 P.M.

If you have any questions or need more information, please contact me at the address or the telephone number listed below:

Internal Revenue Service
202 W Adams St., Ste. 2
Dothan, AL 36303
Phone#: 334-793-2813, ext 29
Fax#: 334-677-6293

Sincerely,

Brenda K Cauley
Brenda K. Cauley
Revenue Officer
Employee ID#: 72-19052

DEFENDANT'S EXHIBIT
CASE NO. <u>1:06-MC-03297-MHT</u>
EXHIBIT NO. <u>4 to 1</u>

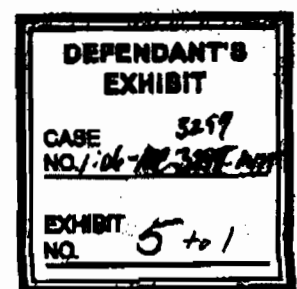
Recorded In MAR BK 98 PG 169, 12/02/1999 01:30PM
 Luke Cooley, Judge of Probate, Houston County, Alabama
Alabama
Certificate of Marriage

TYPE IN PERMANENT
 BLACK INK

State File Number 101

1. ISSUING COUNTY Houston	
2. GROOM'S NAME Barry Stephen FORD	3. DATE OF BIRTH (Month, Day, Year) Jun 12 1965
4. RACE—Specify American Indian, Black, White, etc. White	
5. RESIDENCE—City, Town, or Location and Zip Code Newport	6. COUNTY Cooke
7. STATE Tennessee	
8. NO. OF PREVIOUS MARRIAGES 1	9. IF PREVIOUSLY MARRIED, LAST MARRIAGE ENDED—Specify: Death, Divorce, Annulment, etc. Divorce
10. FATHER'S NAME Dan Ford	11. MOTHER'S NAME Genevieve Rollins
12. BRIDE'S NAME Priscilla ANDREWS	13. BRIDE'S BIRTHDAY LAST NAME (if different) Andrews
14. DATE OF BIRTH (Month, Day, Year) Feb 10 1953	
15. RACE—Specify American Indian, Black, White, etc. White	16. RESIDENCE—City, Town, or Location and Zip Code Dothan
17. COUNTY Houston	18. STATE Alabama
19. IF PREVIOUSLY MARRIED, LAST MARRIAGE ENDED—Specify: Death, Divorce, Annulment, etc. Divorce	20. NO. OF PREVIOUS MARRIAGES 420-72-8721
21. FATHER'S NAME Jesse Bruce Andrews	22. MOTHER'S NAME Carolyn Smith
23. GROOM'S SIGNATURE <i>[Signature]</i>	24. BRIDE'S SIGNATURE <i>[Signature]</i>
25. JUDGE OF PROBATE'S SIGNATURE <i>[Signature]</i>	26. WEDDING DATE (Month, Day, Year) Dec 02 1999
27. COUNTY Enterprise, AL 36330	28. STATE Coffee
29. SIGNATURE OF PERSON PERFORMING CEREMONY Glenn A. Butler	30. TYPE OF PERSON PERFORMING CEREMONY Minister
31. ADDRESS OF PERSON PERFORMING CEREMONY—Street and Number or R.F.D. Number, City or Town, State, Zip Code 201 Heath Street Enterprise, AL 36330	
32. DAY (EXPIRATION DATE) EXAMINED TO JUDGE OF PROBATE— Dec 2 1999	33. JUDGE'S SIGNATURE <i>[Signature]</i>

THIS LICENSE IS VOID UNLESS SOLEMNIZED WITHIN 30 DAYS FROM ISSUING DATE.



MAR 98 170

DEFENDANT'S EXHIBIT	
CASE NO.	11-11-311-111
EXHIBIT NO.	6 to 1

MARRIAGE LICENSE APPLICATION

COUNTY: HOUSTON

(USE BLACK INK)

GROOM (First / Middle / Last)	BARRY STEPHEN FORD
FATHER (First / Middle / Last)	DAN FORD
MOTHER (First / Middle / Maiden)	GENEVIEVE ROLLINS
GROOM DATE OF BIRTH (mm/dd/yy)	10-12-65
RACE--(Specify Am Indian, Black, White, etc.)	White
RESIDENCE--(City/Town/Zip)	NEWPORT, TN 37722
INSIDE CITY LIMITS (Yes or No)	No
COUNTY	Cocke
STATE	TN.
SCHOOL (highest grade)	12th
COLLEGE (1 - 4 or 5+)	4
NUMBER OF PREVIOUS MARRIAGES	1
LAST MARRIAGE ENDED (divorce, death, etc.) & date	DIVORCE ended: 97
SOCIAL SECURITY #:	
GROOM-SIGNATURE	
BRIDE-SIGNATURE	Priscilla Andrews

BRIDE (First / Middle / Last)	Priscilla Andrews
FATHER (First / Middle / Last)	JESSE BRUCE ANDREWS
MOTHER (First / Middle / Maiden)	CAROLYN SMITH
BRIDE DATE OF BIRTH (mm/dd/yy)	2-10-53
RACE--(Specify Am Indian, Black, White, etc.)	White
RESIDENCE--(City/Town/Zip)	1704 TRAWICK RD. DOTHAN AL 36305
INSIDE CITY LIMITS (Yes or No)	No
COUNTY	Houston
STATE	Al.
SCHOOL (highest grade)	12th
COLLEGE (1 - 4 or 5+)	5+
NUMBER OF PREVIOUS MARRIAGES	3
LAST MARRIAGE ENDED (divorce, death, etc.)	DIVORCE ended: 89
BRIDE'S MAIDEN LAST NAME (If different)	
SOCIAL SECURITY #:	
TELEPHONE #:	420-72-8721
WEDDING DATE:	334-678-9418
	Dec. 4, 1999